

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DECARLOS YOUNG

Plaintiff,

v.

Case No. 09-C-1178

PETER ERICKSEN, SARAH COOPER and
WILLIAM POLLARD,

Defendants.

ORDER

On January 18, 2011 the parties to this pro se civil rights case under 42 U.S.C. § 1983 filed a signed stipulation of dismissal with prejudice. The case was dismissed the following day. On January 24, 2011 the Plaintiff, who is currently incarcerated at the Green Bay Correctional Institution, filed letter with the court asking to withdraw his stipulation to the dismissal and to reopen the case. He alleges that, as part of the settlement of the case, Defendants agreed to transfer him to either Waupun Correctional Institution or Columbia Correctional Institution. He claims that defendants are not sending him to either Institution, but rather are attempting to send him to a maximum security facility. Federal Rule of Civil Procedure 60(b)(6) allows a court, upon motion, to issue an order granting a party relief from an order of dismissal, if the moving party demonstrates a “reason that justifies relief” if made within a reasonable time. On this record the Court is unable to determine whether there is a well-founded reason to reopen the case and will allow Defendants to respond.

IT IS THEREFORE ORDERED that the Defendants shall respond to Plaintiff's motion to reopen no later than February 14, 2011.

Dated this 26th day of January, 2011.

s/ William C. Griesbach
WILLIAM C. GRIESBACH
United States District Judge